

### **REMARKS**

This paper is submitted in response to the Office Action mailed November 21, 2007. Claims 1-6 have been amended for clarity. Claims 7-12 have been cancelled without prejudice or disclaimer. Claims 13-18 are newly presented. No new matter is introduced by the amendment. After entry of the amendment, claims 1-6 and 13-18 will be pending.

Applicants respectfully request reconsideration of the claims in view of the amendments and the remarks below.

#### **Rejections under 35 U.S.C. § 101**

Claims 7-12 were rejected under 35 U.S.C. § 101 as drawn to non-statutory matter. Specifically, the Examiner indicated that the claims recited a process but did not set forth any steps involved in the process. Without acquiescing in the Examiner's characterization of the claims, claims 7-12 have been cancelled and claims 13-18, which correspond to cancelled claims 7-12, are newly presented. Applicants note that new claims 13-18 properly recite methods with steps involved in practicing the method. Withdrawal of the rejection is respectfully requested.

#### **Rejections under 35 U.S.C. § 112**

Claims 7-12 were rejected under 35 U.S.C. § 112, second paragraph as indefinite. Specifically, the Examiner indicated that the claims were incomplete because the claims recite a use without any active, positive steps indicating how the use is practiced. Without acquiescing in the Examiner's characterization of the claims, claims 7-12 have been cancelled and claims 13-18, which correspond to cancelled claims 7-12, are newly presented. Applicants note that new claims 13-18 properly recite methods with steps involved in practicing the method.

Claim 4 was rejected because the term "the alkoxide carrying the cyclohexene ring of formula (7)" lacks sufficient antecedent basis. The claim has been amended to provide proper antecedent basis. Claims 2, 4 and 5 were rejected for recitation of the terms "such as" and "the most important synthetic transformations." The claims have

been amended to remove the "such as" and "the most important synthetic transformations", and to clearly indicate the elements that are part of the claimed invention.

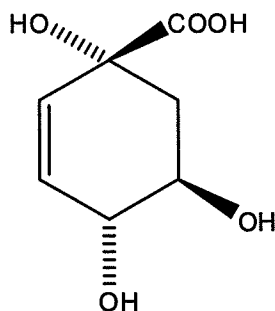
In view of these amendments, withdrawal of the rejections under 35 U.S.C. § 112 is requested.

### **Rejections under 35 U.S.C. § 102**

Claims 1 and 6 were rejected under 35 U.S.C. § 102(b) as anticipated by Frederickson et al., *J. Org. Chem.* 64: 2612–13 (1999). Specifically, the Examiner contends that the compound 10 in Frederickson corresponds to the instantly claimed compound of Formula (1) where  $R^1$ – $R^7$  are H. Applicants respectfully traverse the rejection.

For anticipation, the cited reference must teach each and every limitation of the claim. See *Verdegaal Bros. v. Union Oil Co. of Calif.*, 814 F.2d 628, 631 (Fed. Cir. 1987). Applicants submit that the reference cited by the Examiner does not cite all the limitations of the present claims.

Compound 10, as disclosed in the Frederickson reference, has the following structure:



It is clear that the structure of compound 10 has  $R^2$  as H. In contrast, claim 1, as amended, requires that  $R^2$  be acyloxy, alkyloxy, aryloxy, alkylthio, alkylamine, alkylnitro, alkylazido, arylthio, alkyl group with C1–C10 chains, benzyloxy or aryl groups, etc. Claim 1 does not recite  $R^2$  as H. Therefore, compounds of the formula (1) are not disclosed in the Frederickson reference, and there is no anticipation of claim 1. With

respect to claim 6, the claim recites a pharmaceutical composition comprising a compound as in claim 1 and a suitable vehicle or carrier. Since the compounds recited in claim 1 are not disclosed in the cited reference, claim 6 is not anticipated. Applicants respectfully request withdrawal of the rejection.

### **Claim Objections**

Claim 3 was objected to, as being in improper form because the claim depended from claims 1 and 2 in a non-alternative way. Without acquiescing in the Examiner's characterization of the claim, Applicants note that claim 3 has been amended to depend from only claim 1. Withdrawal of the objection is respectfully requested.

### **SUMMARY**

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,  
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